

BUSINESS REPORT

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

SENATE ENERGY AND TELECOMMUNICATIONS COMMITTEE

Date: Thursday, March 26, 2009

Time: 3:00 pm

Place: Capitol

Room: 303

BILLS and RESOLUTIONS HEARD:

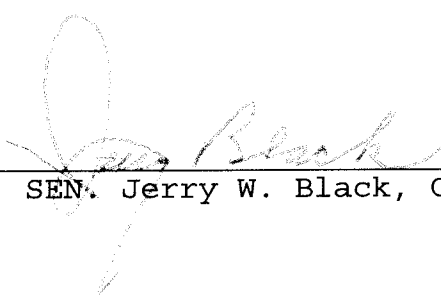
Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

EXECUTIVE ACTION TAKEN:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):

HB 554			

COMMENTS:


SEN. Jerry W. Black, Chairman

MONTANA STATE SENATE
Roll Call
ENERGY & TELECOMMUNICATIONS COMMITTEE

DATE: 3/26/2009

[illegible]



SENATE STANDING COMMITTEE REPORT

March 26, 2009

Page 1 of 5

Mr. President:

We, your committee on **Energy and Telecommunications** recommend that **House Bill 584** (third reading copy -- blue) **be concurred in as amended.**

Signed: _____

Senator Jerry W. Black, Chair

To be carried by Senator Bob Hawks

And, that such amendments read:

1. Title, page 1, line 5.

Strike: "CERTIFICATION PROGRAM"

Insert: "BEST MANAGEMENT PRACTICE"

2. Title, page 1, line 6.

Strike: "A"

3. Title, page 1, line 7.

Strike: "CERTIFICATION PROGRAM"

Insert: "BEST MANAGEMENT PRACTICES"

4. Page 1, line 25.

Strike: "through a certification program"

5. Page 2, line 1 through line 4.

Strike: subsections (1) and (2) in their entirety

Insert: "(1) "Best management practice" means activities, procedures, and practices established by the department based on recommendations by the committee established in [section 4] that a wind generation facility can use to minimize impacts on wildlife, wildlife habitat, and historical and cultural sites."

Renumber: subsequent subsections

Committee Vote:

Yes 6, No 5

Fiscal Note Required ☐

HB0584001SC03871.sdr

OR

6. Page 2.

Following: line 18

Insert: "(5) "Wind generation facility" means the owner of a proposed wind generation facility with a nameplate capacity greater than 5 megawatts."

7. Page 2, line 20.

Strike: "certification program"

Insert: "best management practices"

8. Page 2, line 21.

Following: "shall"

Insert: "develop proposed voluntary best management practices.

(2) Prior to adopting the proposed best management practices, the department shall"

Strike: the second "a"

9. Page 2, line 22.

Strike: "certification program"

Insert: "best management practices"

10. Page 2, line 23.

Strike: "(2)"

Insert: "(3)"

Strike: "program and recommendations for"

Insert: "best management practices, including"

11. Page 2, line 24 through line 26.

Strike: "applicant" on line 24 through the first "for" on line 26

12. Page 2, line 26 through page 27.

Strike: "when" on line 26 through "requested" on line 27

Insert: "on the proposed best management practices"

13. Page 1, line 28.

Strike: line 28

14. Page 2, line 29.

Strike: "(e)"

Insert: "(b)"

Strike: "for the program;"

Insert: "that are available or are recommended to be available so that wind generation facilities use best management practices; and"

15. Page 2, line 30 through page 3, line 3.

Strike: line 30 through line 3

Insert: "(c) places where the department's proposed best management practices are different from those recommended by

the committee established in [section 4]."

16. Page 3, line 4.

Strike: "(3)"

Insert: "(4)"

Strike: "certification"

Insert: "best management practice"

17. Page 3, line 5.

Strike: the first "recommendation"

Insert: "best management practice recommendation"

Strike: the second "recommendation"

Insert: "best management practice proposal"

18. Page 3, line 6.

Strike: "(2)"

Insert: "(3)"

19. Page 3, line 8.

Strike: "certification"

Insert: "best management practice"

20. Page 3, line 9.

Strike: "certification"

Insert: "best management practice"

21. Page 3, line 11.

Strike: "at least"

Strike: "a minimum of"

22. Page 3, line 12.

Strike: "four"

Insert: "six"

Strike: "generating"

Following: "Montana"

Insert: ", developers of wind facilities, or both"

23. Page 3, line 14.

Strike: "two representatives"

Insert: "one representative"

24. Page 2, line 15.

Strike: "two representatives"

Insert: "one representative"

25. Page 3, line 17.

Following: "Additional"

Insert: "ex officio"

26. Page 3, line 25.

Strike: "certification"

Insert: "best management practice"

27. Page 3, line 26.

Strike: "a"

28. Page 3, line 27.

Strike: "certification program"

Insert: "best management practices"

29. Page 3, line 28.

Strike: "an"

30. Page 3, line 29.

Strike: "applicant" through "measures"

Insert: "a wind generation facility implements best management practices"

31. Page 4, line 1.

Strike: "an applicant"

Insert: "a wind generation facility"

Strike: "be required to"

32. Page 4, line 4.

Strike: "measures necessary"

Insert: "best management practices recommended"

33. Page 4, line 6.

Strike: line 6

34. Page 4, line 7.

Strike: "(e)"

Insert: "(d)"

Strike: "pursue certification;"

Insert: "use best management practices; and"

35. Page 4, line 8 through line 11.

Strike: line 8 through line 11

36. Page 4, line 12.

Strike: "(h)"

Insert: "(e)"

Strike: "a"

37. Page 4, line 13.

Strike: "certification program"

Insert: "best management practices"

38. Page 4, line 19.

Following: "develop"

Insert: "best management practice"

39. Page 4, line 20.

Strike: "Recommendations"

Insert: "Best management practice recommendations"

40. Page 4, line 22.

Following: the third "the"

Insert: "proposed best management practices and the"

41. Page 4, line 23.

Strike: "and recommendations"

- END -

MONTANA STATE SENATE
Roll Call Vote
ENERGY & TELECOMMUNICATIONS COMMITTEE

DATE 3/26/2009 BILL NO HB 584 MOTION NO. _____
 MOTION: Be concurred in as amended

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
SENATOR ROY BROWN		✓	
SENATOR RON ERICKSON	✓		
SENATOR JOHN ESP		✓	✓
SENATOR KELLY GEBHARDT	✓		
SENATOR BOB HAWKS	✓		
SENATOR DAVE LEWIS		✓	
SENATOR LYNDIA MOSS	✓		
SENATOR SHARON STEWART-PEREGOY	✓		
SENATOR MITCH TROPILA	✓		✓
SENATOR AUBYN CURTISS, VICE CHAIR		✓	
SENATOR JERRY BLACK, CHAIR		✓	

4 5
 MOTION carried

AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from Energy Committee
because of other commitments. I desire to leave my proxy vote with:

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT

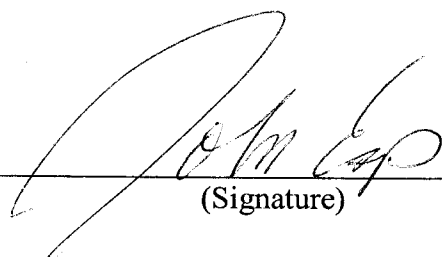
AYE NO

HB 98	✓	
HB 584		
Subcommittee amendments	✓	
HB 584 as amended		✓

BILL/AMENDMENT

AYE NO

Sen.


(Signature)

Date

3-24
3-26

**AUTHORIZED
SENATE COMMITTEE PROXY**

I request to be excused from Energy Committee
because of other commitments. I desire to leave my proxy vote with:

Indicate Bill number and your vote Aye or No. If there are amendments,
list them by name and number under the bill and indicate a separate vote
for each amendment.

BILL/AMENDMENT

AYE NO

HB 584 amend	X	
HB 584 as amended	X	

BILL/AMENDMENT

AYE NO

Sen. _____

Mark Trepko
(Signature)

Date _____

Mar 26, 2008